

# **EXHIBIT “B”**

**From:** Ronca, James R. [mailto:jronca@anapolschwartz.com]

**Sent:** Wednesday, June 27, 2012 2:37 PM

**To:** Svitak, Linda S.

**Cc:** Timothy Becker; Tobias L. Millrood; Peter Flowers; Hague, Melissa; Yeager, Joseph H.; Bennett, J. Stephen; Pierson, Andrea Roberts; Butler, Abigail M.

**Subject:** RE: NexGen MDL

Linda

I have received my deposition dates. In response to your questions regarding this comment at the June 1 status conference, "There is a published article, at least with respect to MIS, that the Flex done by MIS shows an increased risk of loosening of the tibia." On page 26.

See below

Thanks

Jim

Toshiro, Y, *et al*, Minimally Invasive versus Standard Approach in Total Knee Arthroplasty, CLINICAL ORTHOPAEDICS AND RELATED RESEARCH Number 463, pp. 144–150

p.149

However, we should be cautious regarding the medial and lateral shift of the femoral or tibial components. Our results showed the tibial components in the MIS group shifted to a more medial position and the shift varied more widely than in the standard group. This tendency was seen mainly in our early MIS TKAs. Tibial component medialization greater than 3 mm also was reported in four of 30 quadriceps-sparing TKAs and three of 30 mini-subvastus TKAs. Although tibial components in our cases ran off the medial edge only 1 to 2 mm at most, an excessive medial shift of the tibial components theoretically could increase the medial tightness or increase the risk of loosening over the long term. We suspect the medial shift of the tibial components in the MIS TKA could have resulted from difficulty in observing the lateral tibial plateau or from difficulty in clearing the lateral femoral condyle with a standard tibial implant. Surgeons should be aware of this issue.

Also

Barrack, R. *et al*, Minimal Incision Surgery as a Risk Factor for Early Failure of Total Knee Arthroplasty, Journal of Arthroplasty 24:489-498 (2009)

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**From:** Svitak, Linda S. [mailto:Linda.Svitak@faegrebd.com]

**Sent:** Monday, June 18, 2012 10:55 AM

**To:** Ronca, James R.

**Cc:** Timothy Becker; Tobias L. Millrood; Peter Flowers; Hague, Melissa; Yeager, Joseph H.; Bennett, J. Stephen; Pierson, Andrea Roberts; Butler, Abigail M.

**Subject:** RE: NexGen MDL

Jim,

Thanks for the email. We discussed these and other issues on last week's call. However, I did not understand that we were limiting the subjects for briefing. The purpose of my call was to reach an understanding on the briefing schedule and to request a copy of the study you cited to the court. If there are additional issues, we will respond accordingly. Can you please send me a copy of the study you cited on page 26 of the June 1 transcript?

Thank you.

Linda